



February 19, 2003

HOUSE BILL No. 1245

DIGEST OF HB 1245 (Updated February 18, 2003 2:28 PM - DI 105)

Citations Affected: IC 9-30; IC 33-19.

Synopsis: Parking tickets and small claims costs fees. Provides that the clerk of an ordinance violations bureau may send a notice to a person informing the person of the potential for suspension of the person's motor vehicle registration based upon the failure of the person to pay judgments for multiple violations of parking ordinances. Exempts municipalities from paying the small claims costs fee.

Effective: July 1, 2003.

Ayres, Stevenson

January 13, 2003, read first time and referred to Committee on Courts and Criminal Code.
February 18, 2003, amended, reported — Do Pass.

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HB 1245—LS 6819/DI 69+



February 19, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1245

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-30-11-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. If it appears from the
3 records of a court **or an ordinance violations bureau** that has
4 jurisdiction to enforce ordinances that regulate parking violations that
5 three (3) judgments concerning a motor vehicle have not been paid
6 before the deadlines established by a statute, an ordinance, or a court
7 order, the clerk of the court **or the clerk of the ordinance violations**
8 **bureau** shall send a notice to the person who is the registered owner of
9 the motor vehicle. The notice must inform the person of the following:
10 (1) That the clerk will send a referral to the bureau if the
11 judgments are not paid within thirty (30) days after a notice was
12 mailed.
13 (2) That the referral will result in the suspension of the motor
14 vehicle's registration if the judgments are not paid.
15 SECTION 2. IC 33-19-5-5, AS AMENDED BY P.L.164-2002,
16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2003]: Sec. 5. (a) For each small claims action the clerk shall

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1 collect from the party filing the action a small claims costs fee of
2 thirty-five dollars (\$35). However, a clerk may not collect a small
3 claims costs fee for a small claims action filed by or on behalf of the
4 **following:**

5 **(1) The attorney general.**

6 **(2) A municipality.**

7 (b) In addition to a small claims costs fee collected under this
8 section, the clerk shall collect the following fees if they are required
9 under IC 33-19-6:

10 (1) A document fee.

11 (2) A document storage fee (IC 33-19-6-18.1).

12 (3) An automated record keeping fee (IC 33-19-6-19).

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1245, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 2, delete "(a) Except as".

Page 1, line 3, delete "provided in subsection (b), if" and insert "If".

Page 1, line 3, after "court" insert "**or an ordinance violations bureau**".

Page 1, line 7, after "clerk of the court" insert "**or the clerk of the ordinance violations bureau**".

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 8.

Page 2, line 17, delete "political subdivision." and insert "**municipality.**".

and when so amended that said bill do pass.

(Reference is to HB 1245 as introduced.)

WEINZAPFEL, Chair

Committee Vote: yeas 12, nays 0.

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